B 1 (Official Form Case 09-42474 Doc United States Bar		11/10/09 cument	Entered Page 1 o		09:18:20	Desc <sup>3</sup> M	ain
CIMOU SIMILES DA	upoc, <b>9</b> 0	-earrierit	r age I v	), <u> </u>	Vo	oluntary Petitio	n
Name of Debtor (if individual, enter Last, First, Middle	Name of Jo	Name of Joint Debtor (Spouse) (Last, First, Middle):					
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):			he Joint Debtor in and trade names):	the last 8 years			
Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D (if more than one, state all):	. (ITIN) No./Co	omplete EIN		gits of Soc. Sec. n one, state all)		xpayer I.D. (ITI	N) No./Complete EIN
Street Address of Debtor (No. and Street, City, and Sta	te):		Street Addr	ess of Joint Deb	otor (No. and Stre	et, City, and Sta	te):
	ZIP CC	DDE					IP CODE
County of Residence or of the Principal Place of Busin					the Principal Plac		
Mailing Address of Debtor (if different from street add	ress):		Mailing Ad	dress of Joint D	ebtor (if different	from street add	ress):
	ZIP CO	)DE				<u> </u>	IP CODE
Location of Principal Assets of Business Debtor (if diff			e):			<u></u>	IP CODE
Type of Debtor		Nature of Busi	ness	(	Chapter of Bank	ruptcy Code Ui	nder Which
(Form of Organization) (Check <b>one</b> box.)	(Check one	,				Filed (Check o	
☐ Individual (includes Joint Debtors)	Single		ate as defined in	Cha	pter 7 pter 9	Recognition	of a Foreign
See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP)	Railro	S.C. § 101(51B) oad	)	Cha	pter 11 pter 12		Petition for
☐ Partnership ☐ Other (If debtor is not one of the above entities,		broker nodity Broker		☐ Cha <sub>j</sub>	pter 13	Recognition Nonmain Pro	of a Foreign oceeding
check this box and state type of entity below.)	Clear Other	ing Bank					
		Tax-Exempt E	ntity			eck one box.)	
	(C	heck box, if appl			are primarily cons defined in 11 U.S		bts are primarily siness debts.
	under	or is a tax-exemp Title 26 of the U (the Internal Rev	United States	§ 101( individ person	8) as "incurred by lual primarily for al, family, or hous	an a	smess debts.
Filing Fee (Check one bo	) (x.)			hold p	urpose."  Chapter 11 I	Debtors	
☐ Full Filing Fee attached.	,		Check one Debte		iness debtor as de		C. § 101(51D).
Filing Fee to be paid in installments (applicable t			h Debto	or is not a small	business debtor a	s defined in 11 U	U.S.C. § 101(51D).
signed application for the court's consideration of unable to pay fee except in installments. Rule 10			Check if:				
Filing Fee waiver requested (applicable to chapte	r 7 individuals	only). Must			oncontingent liquare less than \$2,1		cluding debts owed to
attach signed application for the court's considera	ation. See Offi	cial Form 3B.		pplicable boxe			
	☐ Accep	otances of the p			n one or more classes		
Statistical/Administrative Information			of cre	editors, in accor	dance with 11 U.	S.C. § 1126(b).	THIS SPACE IS FOR
Debtor estimates that funds will be available	e for distributio	n to unsecured c	reditors.				COURT USE ONLY
Debtor estimates that, after any exempt prop distribution to unsecured creditors.	erty is exclude	ed and administra	ative expenses pa	aid, there will be	e no funds availab	ole for	
Estimated Number of Creditors							
1-49 50-99 100-199 200-999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	Over 100,000	
Estimated Assets		10,000	20,000		100,000	100,000	
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,000,001	\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	☐ More than	
\$50,000 \$100,000 \$500,000 to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1 billion	\$1 billion	
Estimated Liabilities		_					
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,000,001	\$10,000,001		\$100,000,001	\$500,000,001	More than	
\$50,000 \$100,000 \$500,000 to \$1	to \$10	to \$50	to \$100	to \$500	to \$1 billion	\$1 billion	Ī

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Voluntary Petition (This page must b	on Document be completed and filed in every case.)	Page 2 of 1s4				
( ]	All Prior Bankruptcy Cases Filed Within Last 8 Y	ears (If more than two, attach additional sheet.)				
Location Where Filed:		Case Number:	Date Filed:			
Location Where Filed:		Case Number:	Date Filed:			
N CD L	Pending Bankruptcy Case Filed by any Spouse, Partner, or Affili					
Name of Debtor:		Case Number:	Date Filed:			
District:		Relationship:	Judge:			
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).						
☐ Exhibit A i	is attached and made a part of this petition.	X				
		Signature of Attorney for Debtor(s) (	Date)			
	Exhibit	C				
Does the debtor of	wn or have possession of any property that poses or is alleged to pose	a threat of imminent and identifiable harm to pu	blic health or safety?			
Yes, and E	xhibit C is attached and made a part of this petition.					
☐ No.						
(To be comple	Exhibit eted by every individual debtor. If a joint petition is filed		sh a caparata Evhibit D )			
		-	n a separate Exmon D.)			
	it D completed and signed by the debtor is attached and i	made a part of this petition.				
If this is a join	at petition:					
☐ Exhibi	it D also completed and signed by the joint debtor is atta	ched and made a part of this petition.				
	Information Regarding t					
	(Check any applicable box.)  Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.					
	There is a bankruptcy case concerning debtor's affiliate, general part	ner, or partnership pending in this District.				
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.						
	Certification by a Debtor Who Resides a (Check all applica					
	Landlord has a judgment against the debtor for possession of debt	or's residence. (If box checked, complete the fo	ollowing.)			
		(Name of landlord that obtained judgment)				
		(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possessi					
	Debtor has included with this petition the deposit with the court of filing of the petition.	f any rent that would become due during the 30-	day period after the			
	Debtor certifies that he/she has served the Landlord with this certi	fication. (11 U.S.C. § 362(1)).				

Case 09-42474 Doc 1 Filed 11/10/09 Entered 11/10/09 09:18:20 Desc Main Page 3 of 14 Document B 1 (Official Form) 1 (1/08) Page 3 Voluntary Petition Name of Debtor(s): (This page must be completed and filed in every case.) Signatures Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is true I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 (Check only one box.) or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. ☐ I request relief in accordance with chapter 15 of title 11, United States Code. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I Certified copies of the documents required by 11 U.S.C. § 1515 are attached. have obtained and read the notice required by 11 U.S.C. § 342(b). Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the I request relief in accordance with the chapter of title 11, United States Code, chapter of title 11 specified in this petition. A certified copy of the specified in this petition. order granting recognition of the foreign main proceeding is attached. X X Signature of Debtor (Signature of Foreign Representative) X Signature of Joint Debtor (Printed Name of Foreign Representative) Telephone Number (if not represented by attorney) Date Signature of Attornev\* Signature of Non-Attorney Bankruptcy Petition Preparer X I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as Signature of Attorney for Debtor(s) defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information Printed Name of Attorney for Debtor(s) required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum Firm Name fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor Address or accepting any fee from the debtor, as required in that section. Official Form 19 is Printed Name and title, if any, of Bankruptcy Petition Preparer Telephone Number Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or \*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect. Address Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. Date The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition. Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above. X

X
Signature of Authorized Individual
Printed Name of Authorized Individual
Title of Authorized Individual
Date

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

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Official Form 1, Exhibit D (10/06)

#### UNITED STATES BANKRUPTCY COURT

	District of	
In re	Case No.	
Debtor(s)		(if known)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- □ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.

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	Official Fo	rm 1, Ext	ı. D (10/06	) – Cont
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□ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]
If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.
□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]  □ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);  □ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);  □ Active military duty in a military combat zone.
$\Box$ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor:
Date:

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B6E (Official Form 6E) (12/07)

In re _		•	Case No.
	Debtor	<del></del>	(if known)

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)

Domestic Support Obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

Extensions of credit in an involuntary case

appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the

☐ Contributions to employee benefit plans

Wages, salaries, and commissions

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

Case 09-42474 Doc 1 Filed 11/10/09 Entered 11/10/09 09:18:20 Desc Main Page 7 of 14 Document B6E (Official Form 6E) (12/07) - Cont. In re \_ Case No. **Debtor** (if known) ☐ Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6). ☐ Deposits by individuals Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7). **☐** Taxes and Certain Other Debts Owed to Governmental Units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8). Commitments to Maintain the Capital of an Insured Depository Institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9). Laims for Death or Personal Injury While Debtor Was Intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10). \* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

continuation sheets attached

Debtor		(if known)	
In re	·;	Case No	
Case 09-42474 Doc 1 B6E (Official Form 6E) (12/07) – Cont.	Filed 11/10/09 Document	Entered 11/10/09 09:18:20 Page 8 of 14	Desc Main

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Type of Priority for Claims Listed on This Sheet

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
Account No.									
Account No.									
Account No.									
Account No.									
Sheet no of continuation sheets attached Creditors Holding Priority Claims	l to Sc	hedule of	(T	S otals of	Subtotal f this pa	ls <b>≻</b> age)	\$	\$	
			(Use only on last page of t Schedule E. Report also of Schedules.)				\$		
			(Use only on last page of t Schedule E. If applicable, the Statistical Summary of Liabilities and Related Da	, report f Certai	also on			\$	\$

B6F (Official Forms of 92407474	Doc 1	Filed 11/10/09	Entered 11/10/09 09:18:20	Desc Main	
		Document	Page 9 of 14		
In re		•	Case No.		
Debtor		·		(if known)	

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data..

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F. HUSBAND, WIFE, JOINT, OR COMMUNITY CREDITOR'S NAME. DATE CLAIM WAS AMOUNT OF UNLIQUIDATED CONTINGENT ODEBTOR **MAILING ADDRESS INCURRED AND CLAIM** DISPUTED INCLUDING ZIP CODE, CONSIDERATION FOR AND ACCOUNT NUMBER CLAIM. (See instructions above.) IF CLAIM IS SUBJECT TO SETOFF, SO STATE. ACCOUNT NO. ACCOUNT NO. ACCOUNT NO. ACCOUNT NO. Subtotal**>** continuation sheets attached (Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

n re				Case No.			
n re						(i	f known)
SCHEDULE F - C	RED	ITORS I	HOLDING UNSECUE (Continuation Sheet)	RED I	NON	PRIC	ORITY CLA
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							

Sheet no.\_\_of\_\_ continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

ACCOUNT NO.

ACCOUNT NO.

 $Subtotal \blacktriangleright$ 

otal➤

(Use only on last page of the completed Schedule F.)
(Report also on Summary of Schedules and, if applicable on the Statistical
Summary of Certain Liabilities and Related Data.)

- | 9

B6H (Official PSPnPSH424704) Doc 1	Filed 11/10/09 Document	Entered 11/10/09 09:18:20 Page 11 of 14	Desc Main
In re	,	Case No.	(101
Debtor			(if known)
	CHEDINE II	CODEDTODS	
	SCHEDULE H	- CODEBTORS	
Provide the information requested concerning debtor in the schedules of creditors. Include all grommonwealth, or territory (including Alaska, Ar Wisconsin) within the eight-year period immediate former spouse who resides or resided with the debt nondebtor spouse during the eight years immediate child's initials and the name and address of the chechild's name. See, 11 U.S.C. §112 and Fed. R. Ba	uarantors and co-signers. rizona, California, Idaho, ely preceding the commo tor in the community pro- ely preceding the commo ild's parent or guardian, s	If the debtor resides or resided in a commu Louisiana, Nevada, New Mexico, Puerto R encement of the case, identify the name of the operty state, commonwealth, or territory. In encement of this case. If a minor child is a	anity property state, ico, Texas, Washington, or ne debtor's spouse and of any clude all names used by the codebtor or a creditor, state the
Check this box if debtor has no codebtors.			
NAME AND ADDRESS OF COL	DEBTOR	NAME AND ADDRESS OF	CREDITOR
			l

Debtor

(if known)

## **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have reamy knowledge, information, and belief.	d the foregoing summary and schedules, consisting of sheets, and that they are true and correct to the best of
Date	Signature:
	Debtor
Date	Signature:
	(Joint Debtor, if any)
	[If joint case, both spouses must sign.]
DECLARATION AND SIGNA	TURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)
the debtor with a copy of this document and the notices a promulgated pursuant to 11 U.S.C. § 110(h) setting a ma	kruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); and, (3) if rules or guidelines have been aximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum ebtor or accepting any fee from the debtor, as required by that section.
Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer	Social Security No. (Required by 11 U.S.C. § 110.)
If the bankruptcy petition preparer is not an individual, who signs this document.	state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner
Address	
X Signature of Bankruptcy Petition Preparer	Date
Names and Social Security numbers of all other individu	uals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:
If more than one person prepared this document, attach	additional signed sheets conforming to the appropriate Official Form for each person.
A bankruptcy petition preparer's failure to comply with the p 18 U.S.C. § 156.	provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110;
DECLARATION UNDER PEN	NALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP
I, the	[the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the corporation or partnership] named as debtor in this case, declare under penalty of perjury that I have ag of sheets ( <i>Total shown on summary page plus 1</i> ), and that they are true and correct to the best of my
Date	Signature:
	[Print or type name of individual signing on behalf of debtor.]
[An individual signing on behalf of a partnership or	corporation must indicate position or relationship to debtor.]

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

#### UNITED STATES BANKRUPTCY COURT

# NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

## Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

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3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations, most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### **Chapter 11:** Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### **Chapter 12:** Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### Certificate of [Non-Attorney] Bankruptcy Petition Preparer

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor this

notice required by § 342(b) of the Bankruptcy Code.			
Printed name and title, if any, of Bankruptcy Petition Preparer	Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy petition preparer.) (Required		
Address:			
	by 11 U.S.C. § 110.)	by 11 U.S.C. § 110.)	
X			
Signature of Bankruptcy Petition Preparer or officer,			
principal, responsible person, or partner whose Social			
Security number is provided above.			
Certificat	e of the Debtor		
I (We), the debtor(s), affirm that I (we) have received and	I read this notice.		
	X		
Printed Name(s) of Debtor(s)	Signature of Debtor	Date	
Case No. (if known)	X		
	Signature of Joint Debtor (if a	ny) Date	